

Our Docket: 48679

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re:

Applicant : SHIHE FAN et al.
Application No. : 10/726,574
Filed : December 4, 2003
Title : METHOD OF EX VITRO SOWING, GERMINATION, GROWTH AND
CONVERSION OF PLANT SOMATIC EMBRYOS OR GERMINANTS,
AND NUTRIENT MEDIUM USED THEREFOR
Art Unit : 1661
Confirmation No. : 5066

Kirby Eades Gale Baker
Box 3432, Station D
Ottawa, Ontario
CANADA K1P 6N9

January 15, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
United States of America

Dear Sir:

**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF**

This is in response to the Notification of Non-Compliant Appeal Brief mailed on October 16, 2008. This response is accompanied by a request for extensions of time under 37 CFR 1.136 (paid via EFS).

Enclosed herewith is an amended Brief on Appeal that is a complete new brief with the required corrections.

The enclosed brief includes:

- (1) the evidence appendix and related proceedings appendix;
- (4) a summary of the claimed subject matter mapping the independent claims on appeal to the specification by page and line number;
- (7) a clean copy of the claims on appeal in the claims appendix.

It is therefore believed that the enclosed brief satisfies all of the requirements made in the Notification and further consideration is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edwin Gale', with a stylized flourish at the end.

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